

The Cressant is the Percies Badge, to
signifie they are Descended of Emperors.



This Coat of Arms, with the Pedigree, hath been Presented to be Entred and Confirmed, but still Refused.

To the High and Noble Prince, Henry, Duke of Norfolk, Earl Marshal of England, in Court of Chivalry.

The Humble Petition of James Percy, Cozen and next Heir Male to Josceline Percy, late Earl of Northumberland, deceas'd, and Claimant to the Title, Honour and Dignity of Earl of Northumberland;

S H E W E T H,
That Henry Percy, Fifth Earl of Northumberland, had Issue Three Sons, viz. Henry, Thomas, and Ingelram.

That Henry, the first Son, surviving his Father, became and was the Sixth Earl of Northumberland, but died without Issue.

That Thomas, the second Son, had Issue Male, but all of them since dead. Nor is there any Issue Male living descended from the said Thomas, the second Son.

That Ingelram, the third Son, afterwards Sir Ingelram, had Issue Henry.

That Henry, the first Son of Ingelram, had Issue James, William, and Henry.

That James and William died without Issue Male.

That Henry, third Son of Henry, Grandson of Sir Ingelram, had Issue Henry, and James, and Henry.

That Henry, the first Son of Henry, died Young. And your Petitioner is James, the second Son of the said Henry the Father, who was Great Grandson of the said Sir Ingelram Percy.

That the said Josceline Percy, the late Earl of Northumberland, died without Issue Male, and the Title, Dignity and Honor of Northumberland, is of Right descended to your Petitioner, as rightful Cozen, and next Heir Male of the said Josceline.

That by taking away of the Court of Wards, Inquisitions post mortem, interrupting the execution of the Heralds Office in the Times of the late Rebellion, tearing the Matches of the Percies out of the Heralds Books; undue Practices, in order to stifling the Petitioner's Pedigree, secreting several of the Heralds Books from the Petitioner; and the want of the Aid of this High and Noble Court, your Petitioner is unable to Prove his Just Claim and Title to the said Earldom, in such manner as the strictness of the Law requires, in order to his obtaining the said Title, Dignity and Honor of Earl of Northumberland, unless aided and assisted by this High and Noble Court of Chivalry.

Your Petitioner therefore most humbly prays your Grace would be pleased to order the Heralds to produce and bring before your Grace the Heralds Books and Records of Pedigrees, in order to the Clearing and Proving your Petitioner's said Title and Claim; and to afford your Petitioner such further Aid and Relief in the Premises, as to your Grace, in your Great Nobleness and Justice, shall seem meet. And your Petitioner shall ever Pray, &c.

James Percy.

October 18. 1687.

I Do require the Officers of Arms to Search the Books and Records in the College of Arms, and certifie to me in Writing, the next Sitting of the Court, what they shall find touching the Petitioners Request, and have such Books ready to produce in Court.

Norfolk, Marsh.

London, Octob. 19. 1687.

WORTHY SIR,

I Desire that you would be pleased to send me by this Bearer, a Copy of what is prepared at the Chapter on the 18th Instant, in Answer to the Earl Marshal's Order; to him who is ready to Pay the Fees belonging; and is resolved, by God's Assistance, to remain a Friend to your Office and Officers, as Justice Commands and Requires,

James (of) Percy.

The Heralds Answer was, That the Claimant must pray a Copy in the High and Noble Court of Chivalry.

His Graces Order is very Good and Just, but it is to be feard there can be no full Proof made of the Petitioner's Pedigree, till these following Books be brought into Court also, to Compare with the Books of the Office; and Prays that His Grace will be pleased to Debate the whole Matter in that High and Noble Court of Chivalry; and then it will appear, that the Claimant Complains not of the Heralds Office, but of the Dutchess of Sommerset's Agents, who Combined with Sir Edward Walker, King at Arms; which was the cause Justice was perverted near Eighteen Years. The Plaintiff, before he Fee'd his Proctor and Counsel, enquir'd of them if the Defendant, his Grace the Duke of Somerset, or His Agents, had retained them: One said, He had been spoke to by them; another said, He was to go into the Country; and a third, He was fully Employ'd, but advised him to Plead in Court himself. I have retained Mr. Brown for my Proctor, and do most Humbly Pray that this High and Noble Court will be graciously pleased to appoint me such an able Advocate as dares Plead for Justice.

And further Prays for a Copy of the Answer; and in the next Order, that His Grace the Duke of Somerset would be pleased to order Mr. Henry Champion, whose Father did, in the Kings Bench Court, at a Tryal there, make Oath and Declare, That Sir Ingelram Percy was Married, and had Sons and Daughters. And one Book at Cambridge, saith, Sir Ingelram Percy was Married, and had. And that Record, and any other Record tending to the Pedigree of Percy, may be produced in Court, and the next Order may be drawn up answerable to these following Minuts. Also the Pedigree may be Confirmed by Your Grace in this High and Noble Court of Chivalry, it being the Property belonging to that Noble Court only. Therefore all other Courts at Law and Equity, refuses to Confirm the Pedigree, be the Proof never so Good.

Three Books in Keys College, which concern the Pedigree of the Percies, with other Books, were secretly sent to Cambridge.

1. The Book of Nobility.
 2. A Parchment Book of Pedigrees.
 3. A Bound Book of several Visitations.
 4. That Book where the Matches of the Percies were rent out, is in London, but must be Commanded.
 5. Register Books of several Counties and Towns.
 6. Depositions in Chancery and Exchequer.
 7. Warrants to Summons in Witneses, *Viva voce*.
 8. That Sir Orlando Gee, Henry Champion, Esq; may bring in their Books and Records that properly Proves the Pedigree (of) Percy.
 9. That the Day of Hearing may be appointed.
- All these are Humbly offered to Your Grace, by Directions of Counsel, to pray an Order accordingly.

The Book Printed the 31st of August, 1687, declares, How the Honourable Judges of the Court of Common Pleas, advised the Plaintiff to apply himself to the other side, and that the Defendant, His Grace the Duke of Somerset, if he pleased, might make his Proposals in a Weeks time. But in lieu of Proposals of Peace, you will find Imprisonments. Read the Book where is Five Letters writ by the Plaintiff to the Defendant, in Obedience to the Courts Direction: The first Letter to his Grace the Duke of Somerset. The Second to the Right Honourable Hugh Lord Clifford. The Third to Sir Orlando Gee, Knight. The Fourth to Henry Champion Esq;. The Fifth to Edward Billingsley Esq;. But all silent, which forces the Plaintiff to pray for Justice. Justice Glorifies God, Dignifies the Crown, Satisfies all Loyal Subjects, Restores the Oppressed, and will Crown this High and Noble Court of Chivalry, with the Lawrel of Fame to Future Ages; it being a good step to Glory, when Truth and Peace kiss each other. As I have been always Loyal, and joyful to see the King's Restoration, even so he Prays for a fair and speedy Hearing before your Grace, in that High and Noble Court of Chivalry.

And your Petitioner shall ever Pray,

James (of) Percy.